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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,756	07/16/2003	John C. Calhoon	MSFT-2524/304593.2	8963
41505	7590	09/12/2006		
WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) ONE LIBERTY PLACE - 46TH FLOOR PHILADELPHIA, PA 19103				
			EXAMINER CHUO, TONY SHENG HSIANG	
			ART UNIT 1745	PAPER NUMBER

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/620,756

Applicant(s)

CALHOON, JOHN C.

Examiner

Tony Chuo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14, 15 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) 17-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 14 and 15 are currently pending. Claims 1-13 and 16 are cancelled. Claims 17-28 are withdrawn from consideration as being drawn to non-elected invention. Claims 14 and 15 do overcome the previous 102 rejection. However, claims 14 and 15 stand rejected under the following 103 rejection.

Drawings

2. The drawings filed on 5/25/06 are accepted by the examiner.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida et al (US 6057051) in view of Margiott et al (US 6093500). The Uchida reference teaches a system for generating and providing fuel cell data to a processing system comprising: a hydrogen storage unit "5"; a fuel cell "2" coupled to hydrogen storage unit; voltage, current, pressure and temperature sensors for sensing fuel cell characteristics and for providing sensor signals indicative of fuel cell characteristic to a

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controller; a control unit "9" coupled to fuel cell for determining fuel cell parameter values in accordance with sensed fuel cell characteristics; a processor in the computer connected to the fuel cell system comprising a fuel indicator such as the pressure sensor in the hydrogen storage unit; a method of detecting the flow rate of the hydrogen which would be a flow meter coupled between hydrogen storage unit and fuel cell for measuring fuel consumption and providing a fuel consumption signal indicative of consumed amount of fuel to control unit; a controller that is coupled to processor via equipment connection terminal, determines a remaining amount of fuel in fuel cell in accordance with consumed amount of fuel, determines a remaining amount of fuel cell power in accordance with remaining amount of fuel, determines an electrical consumption rate being consumed by computer operating system in accordance with a sensed electrical current provided by fuel cell to processor, transmits values indicative of remaining amount of power and electrical consumption rate from fuel cell to a computer operating system residing in processing system via equipment connection terminal, and a processor that determines an amount of time for fuel cell to provide power to associated computer operating system in accordance with transmitted values indicative of remaining amount of power and electrical consumption rate. In addition, it also teaches an operating system that renders the amount of remaining time via processor (See column 5, line 54 to column 6, line 6 and column 7, lines 39-58). However, the reference does not expressly teach a data bus that couples the controller to the processing system and transmits values indicative of remaining amount of power and electrical consumption rate from fuel cell to a computer operating system residing in

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the processing system. The Margiott reference teaches a data bus "80" that connects the controller "56" to the processor "62" and transmits fuel cell data from the controller and other devices that part of the fuel cell system to the processor (See column 6, lines 12-15 and Figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Uchida fuel cell system to include a data bus that couples the controller to the processing system and transmits values indicative of remaining amount of power and electrical consumption rate from fuel cell to a computer operating system residing in the processing system in order for the processor to change the operating state of the fuel cell such as during shut down of the system when the amount of fuel in the fuel tank is low.

Response to Arguments

5. Applicant's arguments with respect to claims 14 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Chuo whose telephone number is (571) 272-0717. The examiner can normally be reached on M-F, 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TC



RAYMOND ALEJANDRO
PRIMARY EXAMINER